

Mr. Chairman and members of the committee my name is Cynthia Maher and I am representing the members of the Michigan Plumbing & Mechanical Contractors Association.

I want thank you for allowing us time to comment on SB 542.

My organization represents Mechanical Contractors throughout Michigan who install propane devices such as water heaters, furnaces, and various other appliances fueled by propane. This bill seeks to limit the liability of a person in the "liquefied petroleum gas business". We find this language to be vague, inadequate, and confusing. For instance, does it limit the liability of the person who installs the tank but not the person who installs the equipment away from the tank, because frequently those are two different companies? As another example, what about a Mechanical Contractor who three years or so after the initial installation is called into the home by the homeowner with a leaking pipe? Does that contractor now become liable for anything that happens to that tank and any of the piping up to the tank? What about the LP Gas company that goes out of business or just closes the business, who then does the Mechanical

Contract get consent from? What about the home that is sold how does the owner find out who the LP gas installer was? What about someone who changes LP gas dealers, does the liability follow the LP Company that installed the tank or does it go to the new dealer/supplier of the gas? This just shows the confusion in the bill as introduced.

What does "an alteration, modification, or repair of a liquefied petroleum gas systems or appliance" consist of? Does it refer to the whole system, the tank, regulators, piping to the low side regulator and piping inside the house. If so, this also appears to legislate Mechanical Contractors out of this area of their business if they are not a liquefied petroleum gas dealer. But a LP gas dealer who also is a mechanical contractor can perform the work.

One other item, a licensed Mechanical Contractor under the Forbes Mechanical Act can and does legally perform this work currently. This bill as currently written would require a licensed Mechanical Contractor to get permission from someone who may not be subject to the same rules and regulations of the Forbes Mechanical Act. Those are just a few questions this bill raises.

As you are discussing this bill we would suggest that the vague and somewhat confusing language could be remedied for the Mechanical Contractor who doesn't

sell propane by amending page 1 line 8 and page 2 line 3 after the word business by adding "or a person licensed under the Forbes Mechanical Contractors Act". This would give the Mechanical Contractor the same liability as the Liquefied Petroleum Gas Dealer.

I would be happy to answer any questions you may have and look forward to working with the committee on SB 542.